

1. The reply brief filed 3/27/07 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.
2. The Examiner's Answer of 1/23/07 is amended as follows in order to correct minor informalities. Section 9 is replaced below:

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 10-11, 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Roberts.

The patent to Roberts shows a stabilizer for a fishing rod and reel in Fig. 2. Roberts shows a clamp 17, 18, an arm cradle 2, 3 that opens upwardly (since arms 16, 16 will pivot upwardly due the adjustment of bolt 12) and being positioned above the top side of the clamp. Roberts shows a receptacle between arms 17, 18 extending through the clamp from the front side to the back side. Roberts shows a pivot pin 9 connecting the arm cradle to the coupler (taken to be the clamp). Roberts shows the pivot pin having a pivot shaft that extends downwardly from the arm cradle to the coupler. The pivot pin is free to pivot about a pivot axis that is offset to the left as shown in Fig. 2. the pivot pin is connected to the arm cradle at a location adjacent the front end of the arm cradle as shown in Fig. 3 noting that no frame of reference is given. The length of the forearm receiving member extending radially outwardly from the pivot axis since the length can be interpreted as the distance along the curve of the arm in the plane of the paper.

Claims 1-8, and 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perry in view of Paddock for substantially the same reasons stated in the first Office Action. The patents to Perry and Paddock show fishing rod attachments. Perry shows a fishing rod with a top side, bottom side, a left side and a right side. Perry shows an arm cradle 52, 54 connected to the fishing rod 42. The cradle opens in an upward and is pivotally movable relative to the fishing rod about a pivot axis that is offset to one side of the fishing rod as shown in Fig. 2. The patent to Paddock shows a fishing 18 rod having a plurality of eyelets 26 as disclosed in Fig.1 and in column 5, lines 3-4. The patent to Perry shows all of the elements recited with the exception of the eyelets positioned on the rod. Perry probably has eyelets but at any rate, it would have been obvious to provide Perry with eyelets as shown by Paddock for the purpose of guiding the fishing line. In reference to claim 2, Perry shows the cradle positioned on the top of the fishing rod. In reference to claim 3, Perry appears to show the cradle 54 inclined upwardly at about a 45 degree angle. It appears that Perry would be inclined from 0 degrees to 90 degrees. In reference to claim 4, Perry shows the incline angle being adjustable. In reference to claim 5, Paddock shows a fishing rod with a shaft and a handle wherein the fishing rod includes a reel mount at the handle and the arm cradle is connected to the handle behind the reel mount as shown in Fig. 1. In reference to claim 7, Perry shows the arm cradle having a front end and a back end and the arm cradle is elongated from the front end to the back end.

Caims 1-2, 4, 7, 8, 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts in view of Paddock. The patents to Roberts and Paddock show fishing rods having arm cradles as discussed above. Roberts shows all of the elements recited in claim 1 with the exception of the fishing rod having eyelets although the rod probably has eyelets. At any rate

Paddock shows a rod having eyelets 26. In reference to claim 1, it would have been obvious provide Roberts with eyelets as shown by Paddock to guide the fishing line. In reference to claim 2, Roberts shows the rod cradle positioned above the fishing rod. In reference to claim 4, Roberts shows an incline angle between the cradle and the fishing rod which is adjustable due to rotation of elements 11-15. In reference to claim 7, Roberts shows a cradle 2-3 having a front end 8 and a back end and that the cradle is elongated from the front end to the back end. In reference to claim 8, Roberts shows a pivot pin 9 coupled to the front end 8 of the arm cradle 2-3. In reference to claim 9, Roberts shows a clamp 1 coupled to the fishing rod with the clamp defining an opening in which the pivot shaft 9 is pivotally mounted.

Claims 12, 16-22, 32, 33, 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts. The patent to Roberts shows a support for a fishing rod as discussed above. In reference to claim 12, Roberts does not disclose that the arm cradle extends upwardly at an angle of between 15-35 degrees relative to the central axis of the receptacle of the coupler, but it would have been obvious to employ an angle in the range of 15-35 degrees to suit the comfort of a user. See *In re Aller et al.*, 105 USPQ 237. In reference to claims 16, 18, 19, Roberts shows all of the elements recited with the exception of that it is not clear if the width of the channel is less than the length of the channel of the arm cradle. At any rate, it would have been obvious to employ a cradle defining a channel which has a width being shorter than the length of the channel since the size relationships would be determined through routine experimentation. Further it would have been obvious to size the length of the channel 1.5 or 2 times larger than the width of the channel. See *In re Rose*, 105 USPQ 137. In reference to claim 17, Roberts shows the base portion 3 extending from an open front portion to the open back end.

Claims 23-26 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perry in view of Roberts. The patents to Perry and Roberts show an arm support for a fishing rod as discussed above. In reference to claim 23, Perry shows an arm cradle 52 in Fig. 1 and a pivot pin 96 at hinge connection 90. The patent to Roberts shows a pivot pin 9 oriented in a vertical direction. Perry shows the pivot pin oriented from side to side not top to bottom, but it would have been obvious to change the orientation of the pivot pin to vertical orientation as shown by Roberts so that the upper portion would be connected to the arm cradle and the lower portion received within the pivot pin opening of the handle coupler 100 noting that merely rearranging the location of parts is contemplated. Further it would have been obvious to employ the connection at the front end of the base portion since the function is the same and no stated problem is solved. See In re Japikse, 86 USPQ 70. In reference to claim 35, it would have been obvious to change the orientation of the pivot pin so that the upper end portion is aligned at an obtuse angle with respect to the lower end portion of the pivot pin since the function is the same and no stated problem is solved.

The case is being forwarded back to the Board of Patent Appeals and Interferences.

/Kurt Rowan/

Primary Examiner, Art Unit 3643